

Message Text

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S E C R E T SECTION 1 OF 3 USNATO 3996

E.O. 11652: GDS

TAGS: NATO, PARM, CSCE, PFOR

SUBJECT: IMPLEMENTATION OF CONFIDENCE BUILDING MEASURES

HELSINKI FOR THE SECRETARY'S PARTY

FOLLOWING IS TEXT OF ISD/94 (2ND REVISE) OF DECEMBER 23, 1974, A
POLADS PAPER WHICH SETS FORTH ALLIED VIEWS ON MODALITIES OF EXCHANGE
OF OBSERVERS AT MILITARY MANEUVERS:

BEGIN TEXT:

CSCE CONFIDENCE-BUILDING MEASURES : MODALITIES OF AN
EXCHANGE OF OBSERVERS AT MILITARY MANOEUVRES

I. INTRODUCTION

SOME DELEGATIONS BELIEVE THAT A CERTAIN DEGREE OF
INTRA-ALLIANCE CO-ORDINATION WOULD BE DESIRABLE ON THE
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MODALITIES OF ANY EXCHANGE OF OBSERVERS WHICH MAY BE AGREED
TO IN THE CSCE CONTEXT. SOME DELEGATIONS SEE VALUE IN NATO
AGREED GUIDELINES FOR OBSERVER EXCHANGE AT ALL THE TYPES OF
MANOEUVRES LISTED IN PART II, PARAGRAPH 1 OF THIS DOCUMENT

EXCEPT PURELY NATIONAL ONES. ONE DELEGATION FEELS THAT EVEN IN THE CASE OF NATIONAL MANOEUVRES THERE SHOULD BE AT LEAST SOME POLITICAL CO-ORDINATION IN NATO ON THE MODALITIES OF OBSERVER EXCHANGE, SINCE THE WARSAW PACT MAY PATTERN ITS OBSERVER EXCHANGE PRACTICES ON THOSE OF THE LEAST FORTHCOMING WESTERN NATION. ONE DELEGATION BELIEVES THAT ANY AGREED GUIDELINES SHOULD APPLY ONLY TO THE EXCHANGE OF OBSERVERS AT MULTINATIONAL MANOEUVRES.

DELEGATIONS AGREE THAT THERE SHOULD BE FLEXIBILITY IN ANY INTRA-ALLIANCE CO-ORDINATION SCHEME, AND THAT ARRANGEMENTS FOR OBSERVER EXCHANGE SHOULD BE ON THE BASIS OF RECIPROCITY.

THE VIEWS OF DELEGATIONS VARY ON PROCEDURES FOR INTRA-ALLIANCE STUDY OF THE MODALITIES OF OBSERVER EXCHANGE:

- THERE IS A CLEAR CONSENSUS AMONG DELEGATIONS THAT ANY EAST-WEST AGREEMENT ON MODALITIES SHOULD BE AVOIDED, AND SPECIFICALLY THAT THERE SHOULD BE NO RE-OPENING OR AMPLIFICATION OF THE CSCE TEXT AGREED IN GENEVA IN JULY.

- IN ADDITION, THERE IS A CONSENSUS THAT ANY POSSIBLE UNDERSTANDINGS REACHED AMONG ALLIES AND ANY DOCUMENT OR DOCUMENTS PRODUCED ON THIS ISSUE SHOULD BE KEPT STRICTLY WITHIN THE ALLIANCE.

- ONE DELEGATION QUESTIONS THE UTILITY OF ANY FORMALLY AGREED GUIDELINES. IT FEELS THAT THE INTERNATIONAL MILITARY STAFF (IMS) WOULD HAVE TO COMPLETE MORE THOROUGH STUDIES BEFORE A DECISION COULD BE TAKEN ON WHETHER AND TO WHAT EXTENT AGREED GUIDELINES WOULD BE NECESSARY AND/OR USEFUL.

- ANOTHER DELEGATION OPPOSES ELABORATING ANY AGREED NATO DOCUMENT ON THE MODALITIES OF OBSERVER EXCHANGE.

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II. QUESTIONS ON WHICH CO-ORDINATION IN NATO MIGHT BE DESIRABLE

THE FOLLOWING IS A LIST OF QUESTIONS ON WHICH INTRA-ALLIANCE CO-ORDINATION MIGHT BE DESIRABLE, ALONG WITH COMMENTS MADE THUS FAR BY DELEGATIONS AND THE IMS.

1. TYPES OF MANOEUVRES TO WHICH OBSERVERS SHOULD BE INVITED

IN THE CASE OF EACH OF THE TYPES OF MANOEUVRES IN (A) THROUGH (D) BELOW, THERE ARE SOME DELEGATIONS WHO FAVOUR INVITING OBSERVERS.

(A) NATO MULTINATIONAL MANOEUVRES

- THE IMS AND SOME DELEGATIONS POINT OUT THAT CO-ORDINATION WITHIN NATO WOULD BE NECESSARY AT LEAST REGIONALLY (PROBABLY BY MAJOR SUBORDINAATE COMMANDERS) TO EXAMINE PERIODICALLY WHICH OF THESE MANOEUVRES SHOULD BE OPEN TO OBSERVERS.

- ONE DELEGATION BELIEVES THAT THE DECISION ON THE TYPES OF MANOEUVRES TO WHICH OBSERVERS COULD BE INVITED SHOULD BE TAKEN BY THE MILITARY COMMITTEE WHILE THE DETAILS SHOULD BE CO-ORDINATED AT THE MAJOR SUBORDINATE COMMANDERS' LEVEL.

(B) NON- NATO MULTINATIONAL MANOEUVRES

- NATO COMMANDERS WOULD HAVE NO ROLE.

(C) NATIONAL MANOEUVRES ON FOREIGN TERRITORY

- ONE DELEGATION SUGGEST THAT THE DECISION ON THE TYPES OF MANOEUVRES TO WHICH OBSERVERS SHOULD BE INVITED, BE TAKEN JOINTLY BY THE HOST COUNTRY AND THE COUNTRY HOLDING THE MANOEUVRE.

(D) NATIONAL MANOEUVRES ON NATIONAL TERRITORY

- SOME DELEGATIONS AND THE IMS BELIEVE THAT ONLY THE SECRET

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NATIONS CONCERNED SHOULD ADDRESS QUESTION OF WHETHER TO INVITE OBSERVERS TO THESE MANOEUVRES. ONE DELEGATION FEELS THAT NO PRE-CONDITIONS SHOULD RESTRAIN THE HOST COUNTRY'S RIGHT IN THIS CONTEXT.

2. SIZE OF MANOEUVRES TO WHICH OBSERVERS SHOULD BE INVITED

(A) ALL DELEGATIONS AND THE IMS WOULD PREFER TO AVOID ANY AUTOMATIC CONNECTION BETWEEN THE SIZE OF MANOEUVRES SUBJECT TO PRIOR NOTIFICATION UNDER CBM ARRANGEMENTS AND THE SIZE OF MANOEUVRES SUITABLE FOR EXCHANGE OF OBSERVERS. SPECIFICALLY, THEY OPPOSE LIMITING EXCHANGE OF OBSERVERS TO MANOEUVRES SUBJECT TO PRIOR NOTIFICATION.

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(B) ONE DELEGATION BELIEVES THAT THERE SHOULD BE NO PRE-ESTABLISHED SIZE OF MANOEUVRE TO WHICH OBSERVERS SHOULD BE INVITED.

(C) HOWEVER, SOME DELEGATIONS BELIEVE THAT, AS A GENERAL GUIDELINE, THE THRESHOLD SIZE FOR PRIOR NOTIFICATION COULD APPLY ALSO TO OBSERVER EXCHANGE. THE SAME DELEGATIONS EMPHASIZE THAT INDIVIDUAL STATES SHOULD BE FREE TO INVITE OBSERVERS TO MANOEUVRES OF A SMALLER SCALE IF THEY SO CHOOSE.

NOTE: THE IMS POINTS OUT THAT INVITATION OF OBSERVERS TO SMALLER SCALE MANOEUVRES COULD AMOUNT TO NOTIFICATION, SINCE IT WOULD PRESUMABLY REQUIRE A BRIEFING OF THE OBSERVERS ON AT LEAST THE BASIC PURPOSE AND EXTENT OF SUCH MANOEUVRES.

3. RIGHT TO ISSUE INVITATIONS

(A) FOR NATIONAL MANOEUVRES ON NATIONAL TERRITORY.

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- STATE HOLDING MANOEUVRE WOULD INVITE.

(B) FOR NATIONAL OR MULTINATIONAL MANOEUVRES ON FOREIGN TERRITORY, THERE ARE THE FOLLOWING OPTIONS:

(I) STATE ON WHOSE TERRITORY MANOEUVRES TAKES PLACE AND STATE OR STATES HOLDING MANOEUVRE TOGETHER ISSUE THE INVITATION.

- ONE DELEGATION FAVOURS THIS OPTION; ONE OTHER COULD SUPPORT IT.

(II) STATE ON WHOSE TERRITORY MANOEUVRE TAKES PLACE GIVES

ITS APPROVAL TO STATE OR STATES HOLDING THE MANOEUVRE.
LATTER STATE OR STATES THEN ISSUE INVITATION, WHICH
COULD CONTAIN MENTION OF APPROVAL OF HOST STATE.
- SEVERAL DELEGATIONS FAVOUR THIS OPTION.

(III) STATE ON WHOSE TERRITORY THE MANOEUVRE TAKES PLACE ISSUES
INVITATION AFTER CONSULTATION WITH STATE OR STATES
HOLDING MANOEUVRE.
- TWO DELEGATIONS OPPOSE THIS OPTION: TWO FAVOUR IT.

NOTE: SOME DELEGATIONS ARE OPEN-MINDED REGARDING THE THREE
OPTIONS ABOVE.

4. WHOM TO INVITE

DECISION IS LEFT TO INVITING STATE, ACCORDING TO THE
GENEVA TEXT OF 20TH JULY, 1974. (HOWEVER, THIS DISCRETION IS
LIMITED IN THAT INVITATIONS SHOULD BE ISSUED "IN A SPIRIT OF
RECIPROCITY AND GOOD WILL TOWARDS ALL PARTICIPATING STATES".)

- ONE DELEGATION FAVOURS MAXIMUM INTRA-ALLIANCE CO-
ORDINATION ON WHOM TO INVITE.

- ONE DELEGATION BELIEVES THERE SHOULD BE AT LEAST
INFORMAL INTRA-ALLIANCE CO-ORDINATION IN EACH
CASE ON WHO SHOULD BE INVITED, ALTHOUGH IT AGREES
THAT, IN PRINCIPLE, THE DECISION ON WHOM TO INVITE
IS UP TO THE INVITING STATE.

- ONE DELEGATION SUGGESTS THAT THE WORDING OF THE
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GENEVA TEXT MENTIONED ABOVE SHOULD IDEALLY READ
"....TOWARDS ALL PARTICIPATING STATES INCLUDING
NEIGHBOURING STATES, IN PARTICULAR". TWO DELE-
GATIONS DISAGREE; THEY FEEL THAT STRESSING THE
NEED TO INVITE NEIGHBOURING STATES MIGHT DISLUTE
THE PRINCIPLE, SET OUT IN THE GENEVA COMPROMISE
FORMULA, THAT ALL PARTICIPATING STATES SHOULD BE
INVITED.

- ONE DELEGATION FEELS THAT THE STATES TO BE INVITED
SHOULD BE SELECTED FROM AMONG THOSE PARTICIPANTS
IN THE CSCE WITH WHICH THE COUNTRY ON WHOSE TERRI-
TORY THE MANOEUVRE TAKES PLACE HAS REGIONAL
POLITICAL AND MILITARY RELATIONS.

- THE IMS BELIEVES IT IS NOT CLEAR FROM THE GENEVA
TEXT WHETHER A PARTICIPATING STATE WOULD FEEL
BOUND, IN EVERY CASE, TO INVITE ALL PARTICIPATING
STATES.

5. MANNER OF ISSUANCE OF INVITATIONS

ON BILATERAL BASIS AND THROUGH DIPLOMATIC CHANNELS, AS PROVIDED BY GENEVA TEXT. AS TO MODALITIES, INVITATIONS COULD BE SENT:

(A) THROUGH THE EMBASSIES OF THE STATES TO BE INVITED. FAVOURED BY SOME DELEGATIONS; QUESTIONED BY ONE.

(B) IN BUNDLES ON WESTERN SIDE IN THE CASE OF MULTINATIONAL MANOEUVRES THUS AVOIDING PARALLEL AND CROSSING INVITATIONS. (BUNDLES COULD, E.G., BE DISPATCHED BY THE STATE ON WHOSE TERRIOTY A MULTINATIONAL MANOEUVRE TAKES PLACE, ON BEHALF OF ALL PARTICIPATING ALLIES.) FAVOURED BY SOME DELEGATIONS; QUESTIONED BY ONE.

6. NUMBER OF OBSERVERS TO BE INVITED FROM EACH STATE
IN FINAL ANALYSIS, INVITING STATE WOULD DETERMINE THE NUMBER, AS STIPULATED IN THE GENEVA TEXT.

(A) VERY LIMITED NUMBER OF OBSERVERS.

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- FAVOURED BY SEVERAL DELEGATIONS WITHOUT SPECIFYING FIGURES.

- ONE DELEGATION BELIEVES THAT THE NUMBER OF OBSERVERS SHOULD NOT EXCEED 4 OR 5, BUT THAT THIS FIGURE COULD BE EVEN LOWER, DEPENDING ON THE NUMBER OF COUNTRIES TO BE INVITED.

(B) COMPLETE FLEXIBILITY. NUMBER TO BE DETERMINED IN LIGHT OF CIRCUMSTANCES. FAVOURED BY SOME DELEGATIONS.

7. PROCEDURES FOR REJECTING AN OBSERVER
CLAUSE IN INVITATIONS STATING THAT NAMES OF OBSERVERS MUST BE NOTIFIED TO INVITING STATE BEFOREHAND.

- FAVOURED BY SONE DELEGATIONS. NAMES SHOULD BE NOTIFIED "IN TIME" FOR POSSIBLE OBJECTIONS TO BE MADE KNOWN.

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- ONE DELEGATION PREFERS THAT THE INVITATION BE NOTIFIED 30 DAYS BEFORE THE MANOEUVRE AND THAT THE NAMES AND IDENTIFYING DATA BE SUBMITTED BY THE SENDING COUNTRY NO LATER THAN 20 DAYS PRIOR TO THE MANOEUVRE.

- THE IMS FAVOURS SUBMISSION OF NAMES AND ALL THE IDENTIFYING DATA NOT LATER THAN 20 DAYS PRIOR TO START OF MANOEUVRE.

NOTE: ALL DELEGATIONS AGREE THAT IT SHOULD BE POSSIBLE TO REJECT AN OBSERVER DURING A MANOEUVRE FOR CAUSE.

8. STATUS OF OBSERVERS

(A) IF REGULAR MILITARY ATTACHES AND/OR ASSISTANT MILITARY ATTACHES WERE ASSIGNED AS OBSERVERS, THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS WOULD APPLY. THEY WOULD BE CARRIED IN THE DIPLOMATIC LIST, AND PRIVILEGES AND IMMUNITIES WOULD NOT HAVE TO BE SPECIALLY GRANTED.

- SEVERAL DELEGATIONS GENERALLY PREFER USING AND SECRET

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INVITING REGULARLY ACCREDITED MILITARY ATTACHES AS OBSERVERS.

(B) IF OBSERVERS WERE REGISTERED AS MILITARY ATTACHES AND/OR ASSISTANT MILITARY ATTACHES (AND ACCEPTED AS SUCH BY THE HOST COUNTRY), THE RESULT WOULD BE AS IN (A) ABOVE.

- ONE DELEGATION SUPPORTS THIS PROCEDURE. TWO OPPOSE IT.

(C) IF THE OBSERVERS WERE NOT REGISTERED AS MILITARY ATTACHES AND/OR ASSISTANT MILITARY ATTACHES BUT SIMPLY ASSIGNED FOR THE PURPOSE OF OBSERVING THE SPECIFIC MANOEUVRE, THE QUESTION OF THEIR RIGHTS, PRIVILEGES AND IMMUNITIES WOULD ARISE.

NOTES: ONE DELEGATION TAKES THE POSITION THAT STATES, NOT INDIVIDUALS, ARE INVITED TO MANOEUVRES, AND THAT EACH SENDING STATE THEREFORE HAS THE RIGHT TO DETERMINE THE TYPE AND STATUS OF ITS OBSERVERS. ONE DELEGATION BELIEVES THAT, IN THE CASE OF

OBSERVERS NOT ALREADY ON THE DIPLOMATIC LIST, THE SENDING NATION COULD UNILATERALLY DECLARE THAT THEY ENJOY THE PRIVILEGES AND IMMUNITIES PROVIDED FOR IN THE VIENNA CONVENTION. WITH RESPECT TO (C) ABOVE, ONE DELEGATION TAKES THE POSITION THAT THE INVITING COUNTRY SHOULD DETERMINE, WITH THE SEND COUNTRY, THE STATUS OF THE OBSERVERS ON A RECIPROCAL BASIS.

9. RIGHTS, PRIVILEGES AND IMMUNITIES OF OBSERVERS

REGARDLESS OF THE EXACT NATURE OF THE OBSERVERS, STEPS SHOULD BE TAKEN TO ENSURE A MINIMUM SET OF RIGHTS, PRIVILEGES AND IMMUNITIES. THESE MIGHT INCLUDE:

(A) FREEDOM OF CHOICE OF MEANS OF LAND TRANSPORTATION INTO AND WITHIN MANOEUVRE AREA (OWN MOTOR VEHICLE OR MOTOR VEHICLE MADE AVAILABLE).

- SOME DELEGATIONS BELIEVE MOTOR VEHICLES SHOULD BE PROVIDED BY HOST COUNTRY. ONE DELEGATION STRESSES THAT HOST COUNTRY SHOULD PROVIDE ALL MEANS OF TRANSPORT, INCLUDING VEHICLES FOR TRAVEL ON ROUGH TERRAIN. OTHER DELEGATIONS BELIEVE OBSERVERS SHOULD NOT BE WHOLLY DEPENDENT ON TRANSPORTATION FURNISHED BY HOST COUNTRY.

- ALL DELEGATIONS AGREED THAT FOR IDENTIFICATION PURPOSES THE MEANS OF LAND TRANSPORTATION, WHETHER PROVIDED BY THE HOST OR BY THE SENDING COUNTRY, MUST BE CLEARLY MARKED.

(B) RELATIVE FREEDOM OF MOVEMENT IN MANOEUVRE AREA (HOWEVER,
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INSPECTION OF MILITARY INSTALLATIONS OR EQUIPMENT WOULD BE ONLY ON SPECIAL INVITATION AND OBSERVERS WOULD BE ACCOMPANIED BY AN ESCORT).

- SOME DELEGATIONS BELIEVE OBSERVERS SHOULD BE ESCORTED AT ALL TIMES DURING MANOEUVRES BY LIAISON OFFICERS OF HOST COUNTRY AND/OR OF COUNTRY OR COUNTRIES HOLDING THE MANOEUVRES. ONE DELEGATION STRESSES THAT WESTERN LIAISON OFFICERS ASSIGNED TO SPECIFIC WARSAW PACT OBSERVERS SHOULD BE OF THE SAME RANK AS THE LATTER.

- ONE DELEGATION HOLDS THE VIEW THAT OBSERVERS SHOULD WATCH THE MANOEUVRE FROM ONE OR MORE ESTABLISHED POINTS BY THE HOST COUNTRY

.

(C) AUTHORITY TO CARRY AND USE OWN PORTABLE PHOTOGRAPHIC AND OPTICAL EQUIPMENT.

(D) POSSIBILITY OF COMMUNICATION WITH OWN EMBASSY.

- ONE DELEGATION STRESSES THAT MEANS OF COMMUNICATION WITH OWN EMBASSY SHOULD BE IN HANDS OF HOST COUNTRY.

(E) EXEMPTION FROM ARREST, CONFINEMENT, AND SEARCH, AND FROM CONFISCATION OF EFFECTS IN OBSERVERS' POSSESSION DURING THEIR STAY IN THE HOST COUNTRY FOR THE SPECIAL PURPOSE.

(F) RIGHT TO COMMUNICATE VIA COURRIER OR RADIO WITHOUT INTERFERENCE BY HOST COUNTRY.

- ONE DELEGATION FEELS THIS IS UNNECESSARY. SOME OTHERS DISAGREE.

(G) RIGHT TO BE ADEQUATELY BRIEFED ON THE MANOEUVRE.

(H) RIGHT TO BE PROVIDED WITH LODGING, MEALS AND MEDICAL SERVICES BY THE INVITING COUNTRY.

NOTES: EACH OF (A) THROUGH (H) ABOVE IS SUPPORTED BY SOME DELEGATIONS AND BY THE IMS. ONE DELEGATION HAS NO OBJECTIONS TO ABOVE LIST IN PRINCIPLE, BUT FEELS THAT SUCH A HIGH DEGREE OF PRECISION IS UNNECESSARY AND THAT THE MODALITIES WOULD TEND TO EVOLVE OF THEIR OWN DYNAMIC.

ONE DELEGATION STRESSES THE NEED FOR STANDARDISED RIGHTS, PRIVILEGES AND IMMUNITIES TO AVOID POSSIBLE WEDGE-DRIVING BY THE WARSAW PACT.

ONE DELEGATION BELIEVES PRIVILEGES SHOULD BE KEPT TO THE MINIMUM REQUIRED FOR SUCCESSFUL EXERCISE OF THE OBSERVER FUNCTION.

ONE DELEGATION STRESSES THAT ANY NEW FORMAL ARRANGEMENTS ON RIGHTS, PRIVILEGES AND IMMUNITIES SHOULD BE AVOIDED.

WITH RESPECT TO (C) ABOVE, ONE DELEGATION BELIEVES THAT OPTICAL EQUIPMENT SHOULD BE PROVIDED BY THE HOST COUNTRY AND THAT PHOTOGRAPHS AND MOVIES COULD BE OBTAINED BY THE OBSERVER ONLY

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THROUGH THE HOST COUNTRY'S AUTHORITIES.

WITH REGARD TO (D) AND (F) ABOVE, ONE DELEGATION BELIEVES THAT IT MUST BE DECIDED WHETHER SUCH COMMUNICATION WOULD BE REQUIRED DURING THE MANOEUVRES OR ONLY BEFORE AND AFTER MANOEUVRES.

WITH REGARD TO (H) ABOVE, ONE DELEGATION FEELS THAT THE SENDING NATION SHOULD BEAR THE RELEVANT EXPENSES.

10. POSSIBLE SYNCHRONISATION BETWEEN PROCEDURES FOR OBSERVER EXCHANGE AS A CBM IN CSCE CONTEXT AND OBSERVER EXCHANGE AS A STABILISING MEASURE IN MBFR CONTEXT

IT IS FORESEEN THAT WARSAW PACT OBSERVERS WOULD BE INVITED TO WESTERN MANOEUVRES UNDER BOTH CSCE AND MBFR ARRANGEMENTS. THE QUESTION THEREFORE ARISES AS TO WHETHER SOME SYNCHRONISATION OF PROCEDURES APPLYING TO OBSERVER EXCHANGE IN TWO CONTEXTS MIGHT BE NECESSARY.

- SOME DELEGATIONS DOUBT THAT SYNCHRONISATION WOULD BE NECESSARY SINCE THE FUNCTIONS OF OBSERVERS IN MBFR WOULD BE DIFFERENT FROM THOSE OF OBSERVERS IN CSCE. END TEXT.

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